

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 PATRICK M. KENADY
Deputy Attorney General
4 State Bar No. 050882
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5377
Facsimile: (916) 327-8643

7 *Attorneys for Complainant*

8
9 **BEFORE THE**
BOARD OF PHARMACY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 4222

13 **ROSA REBECCA NAVARRO**
14 **2208 S. Hemlock**
Tulare, CA 93274

A C C U S A T I O N

15 **Pharmacy Technician Registration No. TCH 108122**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about February 24, 2011, the Board of Pharmacy issued Pharmacy Technician
23 Registration Number TCH 108122 to Rosa Rebecca Navarro (Respondent). The Pharmacy
24 Technician Registration was in full force and effect at all times relevant to the charges brought
25 herein and will expire on December 31, 2012, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Pharmacy (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 4300 of the Code states:

"(a) Every license issued may be suspended or revoked.

...

5. Section 4301 of the Code states:

"The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been procured by fraud or misrepresentation or issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

...

"(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of the person to conduct with safety to the public the practice authorized by the license."

...

6. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

7. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

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1 FIRST CAUSE FOR DISCIPLINE
2 (Use of Dangerous Drugs)

3 8. Respondent is subject to disciplinary action under section 4301(h) in that on
4 September 8, 2011, Respondent was driving a vehicle in Tulare, California under the influence of
5 methamphetamine in violation of Health and Safety Code section 11550.

6 SECOND CAUSE FOR DISCIPLINE
7 (Controlled Substances)

8 9. Respondent is subject to disciplinary action under section 4301(j) by violating
9 statutes regulating controlled substances as described on paragraph 8 above.

10 DISCIPLINARY CONSIDERATIONS

11 10. On or about May 20, 2002, in the Superior Court, County of Tulare, State of
12 California, in the matter entitled *People v. Navarro, Rosa*, Case No. TCM 09106202, Respondent
13 was convicted following her plea of guilty to a violation of Penal Code section 242 (Battery), a
14 misdemeanor.

15 11. On or about November 1, 2004, in the Superior Court, county of Tulare, State of
16 California, in the matter entitled *People v. Navarro, Rosa*, Case No. TCM 1343031, Respondent
17 was convicted of a violation of Vehicle Code Sections 20002(a) (failure to stop for vehicular
18 assault); Penal Code section 242 (battery), and Penal Code section 136.1(a)(2) (witness
19 intimidation), all misdemeanors.

20 PRAYER

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Board of Pharmacy issue a decision:

23 1. Revoking or suspending Pharmacy Technician Registration Number TCH 108122,
24 issued to Rosa Rebecca Navarro;

25 2. Ordering Rosa Rebecca Navarro to pay the Board of Pharmacy the reasonable costs
26 of the investigation and enforcement of this case, pursuant to Business and Professions Code
27 section 125.3;

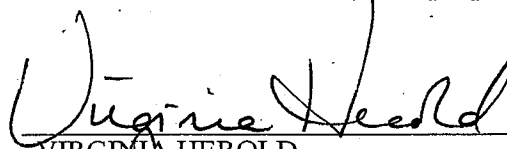
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3. Taking such other and further action as deemed necessary and proper.

DATED: _____

7/2/12



VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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